

REMARKS

Claims 1-9, 12-21 and 24-25 are pending in the application. Claims 1, 13 and 21 have been amended. Claim 24 and 25 have been added. Support for all amendments, including the added claims, can be found in the specification as originally filed. Applicants would like to thank the Examiner for the indication of allowable subject matter.

REJECTIONS UNDER 35 USC 102(b)

a. Claims 1-9, 13, 16, 17 and 21 stand rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,779,675 to Reilly et al, (hereinafter "Reilly '675"). This rejection should be withdrawn in view of the remarks and amendments made herein above.

The Office Action alleges that: "Reilly '675 teaches an injector with a housing (20), a drive member (within 20), a syringe retaining mechanism (generally 114, Fig. 10), wherein pushing the syringe towards the housing in an axial direction actuates the retaining mechanism. (Fig. 10-11). The retaining mechanism comprises one or more capture members (114), corresponding members (120) of the syringe, and actuators (126) or springs (not shown, Col 6 line 32) and grooved ring 140.

It is well settled that in order for a prior art reference to anticipate a claim, the reference must disclose each and every element of the claim with sufficient clarity to prove its existence in prior art. The disclosure requirement under 35 USC 102 presupposes knowledge of one skilled in art of claimed invention, but such presumed knowledge does not grant license to read into prior art reference teachings that are not there. See *Motorola Inc. v. Interdigital Technology Corp.* 43 USPQ2d 1481 (1997 CAFC). It is also well-settled that a 35 USC 102 rejection must rest upon the literal teachings of the reference and that the teachings must disclose every element of the claimed invention in as complete detail as is contained in the claim (See. *Jamesbury Corp v. Litton Industrial Products, Inc.* 225 USPQ, 253, 256 (CAFC 1985); *Kalman v. Kimberly-Clark Corp* 218 USPQ 781, 789 (Fed. Cir. 1983)).

Claim 1 has been added to include subject matter of “a syringe retaining mechanism associated with the housing and adapted to move in a radial direction.” (Claim 13 and 21 have also been amended to include subject matter related to the amendment of Claim 1.) Support for the amendments may be found in the specification, including at, page 33, para 4, line 4 to page 34, line 4, page 34, para 3, lines 7-12, page 35, para 5-8, page 36, para 5, line 2 to page 37 line 3.

However, Reilly discloses a pressure jacket system that surrounds the exterior surface of the syringe (see Abstract). Accordingly, the pressure jacket merely encases the syringe and does not connect to the syringe. In particular Reilly discloses that:

FIGS. 10 and 11 show that the syringe 116 is inserted into locking ring 140 and cylinder 128 so that drip flange 126 rests on the front end 142. Locking ring 140 is screwed further onto cylinder 128, and thus, moved toward the rear end 132 of cylinder 128, as shown in FIG. 11. Locking fingers 114 are pivoted about there respective pivot points 136 from the open position of FIG. 10 to the closed position of FIG. 11 by the sloped interior surface of the locking ring 142 which engages the distal ends 133 of the locking fingers 114. Front ends 131 of fingers 114 retain syringe 116 in place. When locking ring 140 is unscrewed away from the distal end 130 of the cylinder 128, locking fingers 114 pivot into an open position. A spring member (not shown) may be used to bias the locking fingers 114 into the open position. Syringe 116 may then be removed from or inserted into the pressure jacket 112. The advantages relating to the first embodiment, as discussed above, are also realized by this embodiment.

Therefore, Reilly discloses the following:

1. once the syringe is placed within the cylinder 128, then lock ring 140 is screwed further onto the cylinder 128; and
2. locking fingers 114 are adapted to position forward of the syringe front end 120 by pivoting in an axial direction (the pivoting is caused by the shape of the interior surface of the locking ring).

Accordingly, Reilly does not disclose any of the novel features of Applicants' invention of Claims 1, 13 and 21, including that of:

Claim 1 having “a syringe retaining mechanism associated with the housing and adapted to move in a radial direction, the syringe retaining mechanism adapted to releasably connect the syringe regardless of the orientation of the syringe with respect to the injector, wherein the syringe retaining mechanism is actuated by the syringe to

adapt to releasably connect the syringe when the syringe is moved in at least one of an axial direction or a vertical direction;

Claim 13 having “a retaining mechanism associated with the housing for releasably connecting the syringe, the retaining mechanism being movable in a radial direction upon rotation of the syringe between a relaxed state, where the syringe is engaged by the retaining mechanism, and a tensioned state, where the syringe is released from the retaining mechanism”; or

Claim 21 having “a syringe retaining mechanism associated with the housing and adapted to move in the radial direction, the syringe retaining mechanism adapted to releasably connected the syringe regardless of the orientation of the syringe with respect to the injector.” Therefore, reconsideration of Claims 1, 13 and 21 is respectfully requested.

Regarding Claim 2, Claim 2 is directed to a one or more capture members adapted to releasably connect corresponding mounting members of the syringe. Reilly discloses a pressure jacket system that includes locking fingers that screw onto the cylinder 128. Therefore, Reilly does not disclose r capture members that connect to any part of the syringe. Accordingly, Reilly does not disclose Applicants' invention of Claim 2.

Regarding Claims 2-9, 16 and 17, Claims 2-9, 16 and 17 depend from Claim 1, which as discussed herein is believed to be allowable. Further, Reilly does not disclose the inventions of Applicants' Claims 3-9, 16 and 17. Thus, Claims 2-9, 16 and 17 are also believed to be allowable. Accordingly, reconsideration of Claims 2-9, 16 and 17 is respectfully requested as the reference does not disclose each and every element of the claim with sufficient clarity to prove its existence in prior art.

REJECTIONS UNDER 35 USC 103

Claim 12 stands rejected under 35 USC 103(a) as being unpatentable over Reilly '675 in view of U.S. Patent 5,383,858 to Reilly et al., (hereinafter “Reilly”). This rejection should be withdrawn in view of the remarks and amendments made hereinabove.

As discussed above, Reilly does not disclose Applicants' invention including that of independent Claim 1. Further, Claim 12 depends from Claim 1, which as discussed herein is believed to be allowable. Thus, Claim 12 is also believed to be allowable. Accordingly, reconsideration of Claim 12 is respectfully requested.

NEW CLAIMS

Claims 24 and 25 have been added and depend from Claims 1 and 22, respectively. Claims 24 and 25 are directed to "the syringe retaining mechanism [that] is adapted to connect rearward of a front end of the syringe." Support for these claims can be found in the specification, including at pages 32-36 and in Fig. 40A-46D. Reilly does not disclose such a feature and in fact teaches that the locking fingers 114 of the pressure jacket are positioned forward of the front end 120 of the syringe. Accordingly, Reilly does not disclose the novel aspects of Applicants' inventions of Claims 24 and 25. Accordingly, Claims 24 and 25 are believed to be allowable.

In view of the above amendments and remarks, Applicants submit that the claims are in condition for allowance and the Examiner would be justified in allowing them.

Respectfully submitted,

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